

October 18, 2006

Town of Lincoln – Planning Board

100 Old River Road

Lincoln, RI 02865

Dear Honorable Members,

On October 17, 2006 at 2:30 pm, the Technical Review Committee met to review the agenda items for the Special Meeting on October 18, 2006 of the Planning Board. In attendance were Al Ranaldi, Russell Hervieux, Kim Wiegand, John Faile, and Smoky Olean. Below are the Committee's recommendations:

Major Subdivision Review

**a. Sables Road Subdivision – Phase 2 AP 44 Lot 33 Public
Hearing – 7:15 PM**

**- Leslie W. Sables Lantern & East Lantern Rd Preliminary Plan
Discussion /**

Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 17 single-family residential

lots. The project is proposed to be reviewed in two phases. Phase one represents the development of 9 single-family residential lots and one new cul-de-sac. Phase two represents the development of 8 single-family residential lots. One subdivision waiver is requested. The Planning Board is reviewing Phase 2.

On August 1, 2006, the Phase 2 - Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Phase two of the Preliminary Plan must be made by November 28, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division reviewed the proposed development according to the Lincoln Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The latest submission included a set of 14 sheets entitled "Preliminary Plan Submission for Phase 2, Sables Road Subdivision", Lincoln Rhode Island, AP 44 Lot 33, prepared for Leslie W. Sables by Commonwealth Engineers & Consultants, Inc., dated July 7, 2006. Additional material previously received included a report entitled "Stormwater Management Analysis" revision date October 28, 2005 prepared by the above consultant for the above applicant. Soil

evaluation logs performed by a certified soil evaluator were previously reviewed as well. A copy of the RIDEM Wetlands stamped approved plans have been received by the Engineering Office. Below are the TRC recommendations for this project.

Wetlands

The proposed subdivision has received an approval from Department of Environmental Management (RIDEM) Wetlands dated July 19, 2006 which included improvements to East Lantern Road and Lantern Road in Lincoln. The RIDEM Wetlands permit included both Phases 1 and 2.

Drainage

There are existing drainage problems and seasonal high groundwater in the area of the project. The Town reviewed the drainage report for the proposed development. Phase 2 contains a swale in front of the proposed lots on East Lantern Road to be maintained by the individual property owners as a restriction on their deeds. This deed restriction must be approved by the Town DPW and Town Solicitor.

Groundwater

Groundwater is a significant problem in this area. No form of subdrains will be allowed to drain onto the road or abutting properties. A certified soil evaluator will be required in order to obtain information so that the houses are set above the seasonal high ground water elevation. A condition of any approval must also

include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation. A note is shown on the plan addressing this issue.

Sanitary Sewers

The design as well as the ownership, maintenance and operation of the proposed pumping station will be through a private homeownership association. The association agreement must be approved by the Town solicitor as a condition for approval. The design and specifications for the pump station must be approved by the sewer supervisor and the Public Works Department. The force main and gravity sewers in the public road and utility easements are proposed to be owned and maintained by the homeowners association, but accessible to the Town in case of an emergency. The developer must also provide a generator for the Rollingwood pump station, as agreed in discussions May 2006 between the Public Works Department, the applicant and his attorney, as a part of mitigating the impact to the existing area collection system. This item was included in Phase 1 but has not yet been completed. Preliminary Plan approval will require approval from Narragansett Bay Commission for sewer discharges as a condition of approval.

Public Water Service

John Faile, superintendent of the Lincoln Water Commission (LWC) stated that he is in the process of negotiating a waterline design with the developer. The homeowners association will be responsible for water lines within the development. The Town has not yet received

any written approval for the project from the LWC. Preliminary approval will require approval from the LWC as a condition of approval.

Traffic

Phase 2 includes improvements to Lantern and East Lantern Roads and an easement to provide adequate sight distance for vehicles turning the corner on Lantern Road at East Lantern Road. The easement description must describe the property owners' and the Town's responsibilities.

Site Design

One subdivision waiver is requested for Lot 10 which contains less than 40,000 square feet, the minimum buildable area, due to wetlands and sewer and water easements. One of the easements is the sight distance clearance. This is not an area which would be built on in any case. The other easement, for water and sewer, was moved out of the perimeter wetlands in accordance with RIDEM comments on the permit application. The TRC recommends granting a waiver for buildable area for this particular situation due to the Town's request for sight distance clearance at the corner of the existing road.

The Technical Review Committee recommends that the applicant address any public concerns expressed during the Public Hearing and the concerns presented above. The applicant should present the amendments at the regularly scheduled November meeting.

b. Kirkbrae Ledges Subdivision – Phase 11 AP 32 Lot 33 Public Informational Meeting–7:30

- Kirkbrae Ledges, LLC Lancers Lane & Hemlock Road Master Plan Discussion / Approval

This Revised Master Plan (08-03-06) application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 11 single-family residential lots. The project is proposed to be reviewed in one phase. One house lot is proposed to be developed at the end of Hemlock Road. Ten house lots are proposed to be developed off of an extension of Lancers Lane. This extension will have two new cul-de-sacs. On July 17, 2006, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan must be made by November 14, 2006 or within such further time as may be consented to by the applicant. Below are the TRC recommendations for this project.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the Land

Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled “Kirkbrae Ledges Subdivision, Phase 11”, AP 32, Lot 45, in Lincoln, Rhode Island, prepared for Kirkbrae Ledges LLC by Pare Engineering Corp., dated June 2006, amended August 3, 2006. Also received was a document entitled “Master Plan Report Kirkbrae Ledges Subdivision- Phase 11” prepared for the above applicant by the above engineers dated June 2006. Below are the TRC concerns.

Site Plan

Based on the revised master plan submission dated August 8, 2006, the applicant is requesting six subdivision regulation waivers. The requested waivers are as follows;

- The maximum allowed road is 720 feet long for this zone. The southwestern most cul de sac off Lancers Lane is greater than 720 feet. The proposed cul de sac is 1040 feet long.**

Roadway Length: The RIDEM has worked with the developer and LWC to get an easement for use of supplying water to the southbound rest stop/ Blackstone Valley Gateway center proposed on Interstate Route 295 (I-295). The construction and access to the easement is facilitated by the longer than standard road in this development. The easement would be granted free of cost. Since the water line requiring this easement has benefits to the Town and the State, the TRC feels that the variance for a longer road is acceptable.

- Sidewalks. The applicant is requesting a waiver of sidewalks due to**

the fact that the existing neighborhood does not have sidewalks. Any new sidewalks would not connect to an existing pedestrian system.

- Buildable area. The buildable area for each lot is calculated and presented in a graph. Four lots would require waivers. The lots are number 1, 5, 12, and 13. Lots numbered 1 and 5 do not conform to the minimum buildable lot area due to steep slopes. Lots numbered 12 and 13 do not conform to the minimum buildable lot area due to 200' riverbank area.**

Proposed lots 1 and 5: less than 20,000 SF due to steep slopes. The existing contours of these lots contain several humps. In the particular situation for these variances, it does not appear that any extraordinary construction measures or engineering technology would be required to bring the proposed lots into conformance with the standards. No excessive blasting, retaining walls or cliff-like features would result from re-grading; therefore these variances are acceptable, in this case.

Proposed lots 12 and 13: less than 20,000 SF due to wetlands. Riverbanks are excluded from the buildable lot area. The two houses are proposed to be located entirely in the 200 foot riverbank wetlands. No soil evaluation or seasonal high ground water information is available for either of these areas. The TRC does not generally recommend approving any major construction in a wetland area. Of the two lots requiring a variance, the Engineering Office cannot give a positive recommendation to accepting lot 13. Particularly, the

proposed extension of Hemlock Drive as a cul de sac and the associated storm water basin required for the house on lot 13 are in an especially marginal location. Public Works' concerns are with the proximity of the house and detention basin to existing, down gradient houses, the seasonal high water table and adjacent stream. Public Works cannot control how a home owner redirects drainage flow from roof drains, accessory structures, landscaping after a certificate of occupancy has been granted.

Groundwater

A certified soil evaluator estimated the seasonal high ground water elevations at various locations on the property. The Town Engineer witnessed the excavation of test pits. This data is not shown on the plans. In general, the seasonal high ground water elevations are within a few feet of the surface. Because of existing drainage problems in the area and the lack of any alternative drainage site for ground water brought to the surface, it is recommended that a condition of approval for the subdivision be that finished floors or basements must be set above the seasonal high ground water elevation. In addition, for the same reason, it is recommended that no detention basins be constructed into the elevation of the seasonal high ground water.

Wetlands

The proposed subdivision must obtain a RIDEM Wetlands Preliminary Determination permit as a condition of approval for subdivision.

Riverbanks are excluded from the buildable lot area. The house proposed off Hemlock Drive is located entirely in riverbank wetlands. A letter verifying the location and type of some of the wetlands on the property did describe an isolated wetlands which would not have an associated perimeter wetlands. It is not likely that the findings in this letter, despite having expired, would be significantly different. However, the letter does not appear to have verified the type of wetlands between lots 7 and 9.

Utilities

The plan shows public water and sewer connections to the proposed lots. Gravity sewers are proposed. Written conformation of the availability of public sewers and the ability of the receiving pump station to accommodate the additional flow must be submitted. The Lincoln Water Commission (LWC) has communicated to the Town that public water service is available to this project. The water line is proposed to be looped through an easement to meet LWC requirements.

Drainage

The Town has observed severe, existing drainage problems over the years in this area. Drainage design for the subdivision must include no increase of stormwater peak rate of flow or volume from the subdivision onto the properties on Kirkbrae or Timberland Drives, Lancers Lane or into the wetlands connected to the brook that flows under Timberland Drive. This is recommended so as not to

exacerbate existing drainage problems in the Kirkbrae neighborhood.

Based on the revised Master Plan submission dated August 3, 2006, the number of proposed house lots and waivers have dropped from 13 house lots to 11 and from 12 waivers to 6. Again, the Technical Review Committee wrestled with the number of subdivision waivers required by this project. This concern was expressed to the developer which in turn presented several noteworthy off site improvements he will do in coordination with this subdivision. At this time, the TRC recommends to the Planning Board that they weigh the number of waivers against the proposed off site improvements and discuss the likelihood of this project moving ahead to a successful outcome with the developer. The TRC feels that the off site improvements and the benefits that they will provide to the Town and the State outweigh the associated waivers. A decision must be made at the October 25 Planning Board meeting.

Zone Change

a. Chapel Street – Kenneth Demers AP 3 Lots 89, 179, and 180 Recommendation to

- Kenneth Demers Chapel Street – BL-0.5 to RG-7 Town Council

The proposed zone change is to change the zoning for the above noted lots from BL-0.5 to RG-7. The surrounding area is currently

zoned RG-7. This proposed zone change has been submitted for consideration within the Town wide Zoning Ordinance Amendments. Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this zone change. The TRC feels that the proposed zone change from BL-0.5 to RG-7 is consistent with the surrounding area and consistent with the Comprehensive Plan. However, the TRC feels that the applicant did not provide enough detailed information in order to make a decision on the proposed housing project. The applicant did not address the availability public utilities, improvements to public safety or how he intends to address the physical constraints of the site. Any future land development projects will have to be reviewed by the Planning Board.

Correspondence/Miscellaneous (*)

a. Kevin Marcoux AP15 Lot 47 Final Plan Approved and Recorded

This project represents the subdivision of one residential lot into two lots. On October 12, 2006, the applicant successfully addressed all of the preliminary plan approval conditions. Therefore, final plan was issued and the final plan was recorded.

b. Lincoln Ridge Business Park AP41 Lot 58 Remediation Bond Approval

This project represents the commercial development of one lot containing approximately 15 acres of land. During the month of July,

the applicant successfully completed the preliminary plan conditions.

In order to proceed with the construction of the public infrastructures, a remediation bond must be set. The authority to approve a bond amount was delegated to the Administrative Officer of the Planning Board. A remediation bond of \$9,500.00 was established. The applicant submitted a check to the finance department.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

Administrative Officer to the Planning Board